

REMARKS

The Final Office Action mailed October 19, 2007 and reference cited therein have been reviewed. Applicant has, by this RCE, amended claims 1, 5, 10, 14, 20 and 26, and added new claims 29 through 34.

The Examiner objected to several of the claims for including grammatical errors. Applicant has amended claims 1, 10, 20 and 26 to correct these errors.

THE SECTION 102 REJECTION

Claims 1, 5, 6, 8 and 9 were rejected under 35 USC §102(b) as being anticipated by Manton. Claim 1 has been amended to clarify the functions and/or orientation of some of the components of the flange connection. Manton does not disclose, teach or suggest 1) a flanged connection designed to connect a gas-filled spring in a machine tool, 2) an upper flange half and a lower flange half designed to engage a gas-filled spring, 3) the fixing element is designed to be movably engagable with at least one of said flange halves when the upper flange half and the lower flange half are secured together, and 4) the fixing element is designed to movably engage and apply a clamping force on said locking ring that is positioned at least partially around the gas-filled spring when the upper flange half and the lower flange are secured together.

Manton has nothing to do with the securing of a gas-filled spring to a machine tool. Manton also does not disclose or teach that the fixing element, which the Examiner designates by reference number 13, is not movable relative to one of the flange halves. Indeed, the design

of the fixing element and flange half are disclosed in Manton and the manner in which such components are connected together makes it readily apparent that the fixing element and the flange half do not move relative to one another. Furthermore, it is also readily apparent that the fixing element is not designed to move into the locking ring.

For at least the reasons set forth above, claim 1 and all of the claims dependent therefrom are not anticipated by Manton.

With regard to claim 5, Manton does not disclose, teach or suggest the fixing element being movable relative to one of the flange halves as set forth above. As such, for this additional reason, dependent claim 5 is not anticipated by Manton.

THE SECTION 103 REJECTION

Claims 19, 20, 23, 25 and 27 were rejected under 35 USC §103(a) as being unpatentable over Manton. Claims 7, 21, 22, 24, 26 and 28 were rejected under 35 USC §103(a) as being unpatentable over Manton in view of Clague. Claims 10 and 14-18 were rejected under 35 USC §103(a) as being unpatentable over The APA (Figure 1) in view of Manton.

Claim 19 has been amended to include the limitation that the fixing element is designed to 1) movably engage the inclined section on the inside surface of at least one of the flange halves and 2) apply a clamping force on the locking ring that is positioned in the groove on the outer surface of the body of the gas-filled spring when said upper flange half and said lower flange are secured together. As discussed above, Manton does not disclose, teach or suggest the fixing element moving in any way toward the locking ring so as to create a clamping force on the locking ring. For at least this reason, claim 19 and all the claims dependent therefrom are

allowable over Manton.

The combination of Clague with Manton does not overcome the limitations of Manton as discussed above. Clague was cited by the Examiner as disclosing a recess in a fixing element that has a recess. The Examiner asserted that structure 24 of Clague is a fixing element; however, it is unclear to Applicant how structure 24 is a fixing element when such structure does not apply any clamping force to structure 14a, which is allegedly a locking ring.

As mentioned in Applicant's previous amendment, Manton, like Clague, are directed to the art of connecting the flanges of two pipes together. The flange connection of the present invention has nothing to do with connecting two pipes together. As such, it is unclear what relevance Manton and Clague have to the claimed invention with regard to a rejection of the claims under 35 U.S.C. §103.

For at least the reasons set forth above, none of the pending claims are obvious in view of Manton and Clague.

Claim 10 has been amended in a similar manner as claim 1 as set forth above. As such, for similar reasons, the limitations of claim 10 are not taught or suggested by Manton. The combination of the APA with Manton does not overcome the deficiencies of Manton as set forth above. Therefore, claim 10 and all of the claims dependent therefrom are not obvious in view of the APA and Manton. Furthermore, claim 14, as with claim 5, is not taught or suggested by Manton. For at least these reasons, claims 10 and 14-18 are allowable over the cited art of record.

Applicant submits that all the pending claims are allowable over the cited art of record.

Respectfully submitted,

FAY SHARPE LLP



By: _____

BRIAN E. TURUNG

Reg. No. 35,394

1100 Superior Avenue, 7th Floor

Cleveland, Ohio 44114-2579

Telephone: (216) 861-5582

Facsimile: (216) 241-1666

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